

PROB 12B  
(7/93)

**United States District Court**

**for**

**District of New Jersey**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Jose Medina Maldonado

Cr.:05-00222-001

Name of Sentencing Judicial Officer: Honorable Herbert J. Hutton, USDJ, ED/PA

Date of Original Sentence: 02/24/00

Date of Transfer of Jurisdiction to D/NJ: 03/30/05

Name of Assigned Judicial Officer: Honorable William H. Walls, USDJ

Original Offense: Ct 1: Conspiracy to Possess With Intent to Distribute Heroin; Ct 2: Possession of Cocaine Base With Intent to Distribute

Original Sentence: 84 months imprisonment, 5 years supervised release, \$2,000 fine, \$200 special assessment

Type of Supervision: Supervised Release

Date Supervision Commenced: 01/20/05

**PETITIONING THE COURT**

- ☐ To extend the term of supervision for \_\_\_\_\_ Years, for a total term of \_\_\_\_\_ Years.  
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant shall reside for a period of 2 months in a community corrections center, halfway house or similar residential facility and shall observe all the rules of that facility. The defendant shall be eligible for weekend privileges. The defendant's subsistence as required by the program is waived.

**CAUSE**

On February 20, 2008, Maldonado submitted a urinalysis that was positive for marijuana. On March 7, 2008, Maldonado was convicted of Simple Assault at the Passaic Municipal Court.

Respectfully submitted,



By: Denise Morales  
U.S. Probation Officer


Date: 03/17/08

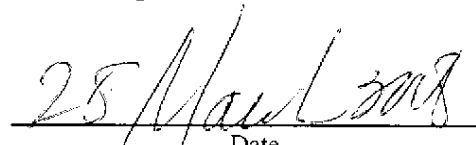
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THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above  
☐ The Extension of Supervision as Noted Above  
☐ No Action  
☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

  
\_\_\_\_\_  
Date

PROB 49  
(3/89)

**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF NEW JERSEY**

**Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**

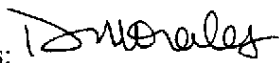
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel,' I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows. The addition of the following special condition(s):

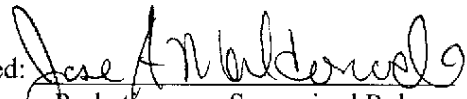
The defendant shall reside for a period of 2 months in a community corrections center, halfway house or similar residential facility and shall observe all the rules of that facility. The defendant shall be eligible for weekend privileges. **The defendant's subsistence as required by the program shall be waived.**

Witness:



U.S. Probation Officer  
Denise Morales

Signed:

  
Probationer or Supervised Releasee  
Jose Medina Maldonado

726

3-11-08

DATE

UNITED STATES DISTRICT COURT  
PROBATION OFFICE  
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY  
CHIEF PROBATION OFFICER

THOMAS S. LARSON  
SUPERVISING PROBATION OFFICER

March 17, 2008

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ROOM 130  
P.O. BOX 2097  
PATERSON, NJ 07509-2097  
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www.njp.uscourts.gov

Honorable William H. Walls, USDJ  
Martin Luther King Jr. Federal Building & Courthouse  
50 Walnut Street  
Newark, NJ 07102

RE: Medina Maldonado, Jose  
Dkt. No. 05-00222-001  
Notice of Non-Compliance, Request for Modification  
to the Conditions of Supervision

Dear Judge Walls:

On February 24, 2000, the above referenced offender was sentenced before the Honorable Herbert J. Hutton, Eastern District of Pennsylvania, for Conspiracy to Possess With Intent to Distribute Heroin (Count One) and Possession of Cocaine Base With Intent to Distribute (Count Two) to eighty-four (84) months imprisonment and five (5) years supervised release. In addition to a \$2,000 fine and a \$200 special assessment, Maldonado was ordered to abide by the special condition of drug testing/treatment. Maldonado has been supervised in the District of New Jersey since his release from custody on January 20, 2005. On March 30, 2005, we accepted jurisdiction of this case.


In correspondence dated June 28, 2006, we notified Your Honor that Maldonado sustained an arrest for Simple Assault. On March 7, 2008, Maldonado was found guilty of that crime and was sentenced to a \$614 fine/court costs. In addition to being convicted of a new crime, a urinalysis administered on February 20, 2008, tested positive for marijuana.

The Probation Office proposes that the aforementioned instances of non-compliance be addressed through a modification to the conditions of supervision to include a period of two months community confinement. We ask that you authorize the modification where indicated on the attached Probation Form 12B, *Request for Modifying the Conditions or Term of Supervision with Consent of the Offender*. Also attached is the Probation Form 49, *Waiver of Hearing to Modify Conditions of Supervised Release* wherein Maldonado agrees to the modification. Please note that Maldonado will be subject to more frequent urine testing and/or an evaluation to determine if treatment is necessary.

As always, we make ourselves available to discuss this matter. The undersigned can be contacted at (973) 357-4090.

Very truly yours,

CHRISTOPHER MALONEY, Chief  
U.S. Probation Officer

  
By: Denise Morales  
U.S. Probation Officer

/dm

Enclosures

7/1/08